

EXHIBIT 7

Lisa Wise

April 15, 2022

1 UNITED STATES DISTRICT COURT
 2 WESTERN DISTRICT OF TEXAS
 3 SAN ANTONIO DIVISION

3 LA UNION DEL PUEBLO ENTERO)
 4 et al.,)
 5 Plaintiffs,)
 6 v.) Civil Action No. SA-21-CV-
 7) 00844-XR
 8 GREGORY W. ABBOTT, et al.,)
 9 Defendants.)

10 -----
 11 ORAL AND VIDEOTAPED DEPOSITION OF
 12 LISA WISE
 13 APRIL 15, 2022
 14 Volume 1
 15 -----

16 ORAL AND VIDEOTAPED DEPOSITION OF LISA
 17 WISE produced as a witness at the instance of Plaintiff,
 18 and duly sworn, was taken in the above-styled and
 19 numbered cause on the 14th day of April, 2022 from 9:06
 20 a.m. to 5:05 p.m., before Nancy Newhouse, a Certified
 21 Shorthand Reporter in and for the State of Texas,
 22 reported by oral shorthand, located at the 500 East San
 23 Antonio, Room 503, El Paso, Texas 79901, pursuant to the
 24 Federal Rules of Civil Procedure, and the provisions
 25 stated on the record or attached hereto.

1 Q. (BY MS. PERALES) Have you received any
2 guidance from the Texas Secretary of State about what
3 action by a poll watcher would, quote, "make observation
4 not reasonably effective", unquote?

5 MS. SPECTOR: Object to form.

6 A. No.

7 Q. (BY MS. PERALES) What have you told your poll
8 workers about what it means -- what -- what activity by
9 them would be obstructing the view improperly now?

10 MS. SPECTOR: Object to form.

11 A. I don't know if we've got into the -- I'm
12 sorry -- gone into specifics about that.

13 Q. (BY MS. PERALES) Okay. Do you know whether
14 if a poll worker inserted themselves between a voter and
15 a watcher who was standing too close, in the opinion of
16 the poll worker, whether that would be now an offense
17 under the Election Code?

18 MS. SPECTOR: Objection, calls for legal
19 conclusion.

20 A. Yeah. I don't know for sure. That might be
21 something -- if we received a report about that, that I
22 would either, you know, talk with our county attorney or
23 consult the Code if it was something that was happening.

24 Q. (BY MS. PERALES) When I'm quiet I'm switch --
25 I am skipping over questions, so quiet is good.

1 MS. SPECTOR: Objection --

2 Q. (BY MS. PERALES) -- what the exact criteria
3 is for eligibility for assistance?

4 MS. SPECTOR: Objection to form.

5 A. Yes.

6 Q. (BY MS. PERALES) Would you agree with me that
7 a potential assistor, whether that person be a trusted
8 friend, or a neighbor, or a family member might be
9 concerned that if they offer assistance to a voter,
10 navigating the polling place, or interacting with poll
11 workers or figuring out how to use the voting machine,
12 that that assistor might be exceeding the permissible
13 assistance that they swore to on the oath?

14 MS. SPECTOR: Objection to form.

15 A. They may be.

16 Q. (BY MS. PERALES) Do you think that a
17 potential assistor might have some concerns about
18 securing a representation from the voter that that voter
19 needs assistance?

20 MS. SPECTOR: Objection to form.

21 MR. JEFFREY WHITE: Objection, form.

22 A. Yes, they might be.

23 Q. (BY MS. PERALES) Would you agree with me that
24 a potential assistor might be concerned that if they
25 make a mistake in giving either the wrong kind of

1 assistance, or assistance to an ineligible voter, that
2 the ballot of that voter might not get counted?

3 MS. SPECTOR: Objection to form.

4 A. They could be.

5 Q. (BY MS. PERALES) Would you agree with me that
6 it's possible that a potential assistor might think that
7 if they make a mistake in either giving the assistance,
8 or giving the assistance to the wrong type of voter,
9 that they might be accused of perjury for having signed
10 the oath before delivering assistance?

11 A. Yeah.

12 MS. SPECTOR: Object -- sorry. Objection
13 to form. Go ahead.

14 A. Yes. If they're aware of that law, then yes,
15 they could be aware -- concerned with that.

16 Q. (BY MS. PERALES) And you would agree with me
17 that when an assistor arrives at the polling place to
18 give the assistance to the voter, that that assistor
19 would sign this document that we see here in Exhibit 10,
20 that has the oath written out up top, is that correct?

21 A. Yes.

22 Q. So they would see -- this potential assistor
23 would see all of that language that you and I just
24 covered in SB 1 that has been added to the assistor
25 oath, correct?

1 Q. Okay. Let's go back to the scenario that I
2 mentioned a few minutes ago, nonprofit is going door to
3 door with canvassers to educate the voters and get the
4 vote out, and they are promoting this drainage bond
5 issue, let's call it.

6 How would you advise a canvasser who
7 calls you up and says well, I'm pushing this drainage
8 issue, we want the bond, I'm visiting voters in their
9 home, some of whom are elderly, how do I know if there's
10 a mail ballot present?

11 How would you advise that canvasser?

12 MS. SPECTOR: Objection to form, calls
13 for speculation, calls for legal conclusion.

14 A. I would tell them I am not allowed to give you
15 legal advice, which is something I have to say to people
16 a lot, and I would suggest that, if your organization
17 has an attorney, that you consult with them.

18 Q. (BY MS. PERALES) Have you done any training
19 with your staff about the vote harvester provisions here
20 in 7.04?

21 A. I don't believe so. Because we aren't a law
22 enforcement agency, because we have no law enforcement
23 powers and because that's something that would be done
24 outside of our office --

25 Q. Uh-huh.

1 A. -- we really have not focused on that.

2 Q. Okay. Have you received any guidance from the
3 Secretary of State that mentions the vote harvesting, or
4 tries to guide you at all in terms of these new
5 requirements related to voters and their mail ballots?

6 MS. SPECTOR: Objection to form.

7 A. I don't believe so.

8 Q. (BY MS. PERALES) Are you aware of any
9 incidents of voter fraud related to individuals visiting
10 mail voters at their homes, and trying to commit fraud
11 that way?

12 MS. SPECTOR: Objection to form.

13 MR. JEFFREY WHITE: Objection, form.

14 A. Not in El Paso County.

15 Q. (BY MS. PERALES) Okay. And have you ever
16 heard of anyone that's with a nonprofit or community
17 organization, not a campaign PAC or candidate, trying to
18 commit fraud with a mail voter and the mail ballot?

19 MR. JEFFREY WHITE: Objection, form.

20 MS. SPECTOR: Same.

21 A. No.

22 Q. (BY MS. PERALES) If you'll turn to -- I'm
23 trying to find the -- trying to find the section --
24 okay, well, Page 60?

25 Do you see around the middle of the page

1 MR. JEFF WHITE: Sorry about that.
2 And this last document should be Exhibit
3 15.

4 (Defendant's Exhibit No. 15 was marked
5 for identification.)

6 MS. SPECTOR: Thanks, Jeff.

7 Q. (BY MR. JEFFREY WHITE) And Ms. Wise, do you
8 recognize this Exhibit 15?

9 A. I do.

10 Q. And what is this showing?

11 A. This is the March 2022 primary early voting
12 stations.

13 Q. And so if I was to look at the right-hand
14 column, would this show the hours that they were open
15 during early voting on different dates in this year, in
16 the March 2022 primary?

17 A. Yes.

18 MR. JEFF WHITE: That's all the
19 additional questions I have.

20 MS. SPECTOR: Okay. Nothing from us.

21 MS. PERALES: So if counsel for Ms. Wise
22 or El Paso County will reserve their questions for the
23 time of trial, this deposition is concluded.

24 VIDEOGRAPHER: We are now off record at
25 5:05 p.m.